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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/763,442	02/21/2001	Wiebe De Haan	PHN17,516	6266
24737 7590 01/11/2008 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			EXAMINER VENT, JAMIE J	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 01/11/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

09/763,442

Applicant(s)

DE HAAN, WIEBE

Examiner

Jamie Vent

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-6,8-17,19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8-17,19-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 13, 2007 has been entered.

### ***Response to Arguments***

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,3-6,8-17,19-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Kashiwagi et al (US 6,393,574) in view of Yamane et al (US 5,784,528) in further view of Nakai et al (US 5,999,698) in Nakatani et al (US 6,118,924).

**[claims 1, 6, & 17]**

In regard to Claims 1, 6, and 17, Kashiwagi discloses a method of recording an encoded bit stream, said encoded bit stream representing a plurality of video objects comprising a sequence of cells together constituting a part of an MPEG2 Program Stream, on a disc like record carrier, such as an optical disc, said method comprising:

- Recording a collection of contiguously arranged video objects in a video object storage area of said disc (Column 61 lines 51-57 describes the collection of contiguously arranged in a video object storage area);
- Recording management information in a management information area of said disc for storing information about recording video objects (Figure 22 and further described in Column 19 lines 64+ through Column 20 Lines 1-12); Said collection is partitioned into adjacent recording that represent playable titles characterized by
- Defining a playable title as playback sequence of all complete cells or subsets of complete cells of a recording in order of allocation within the video object storage area on the disc (Column 20 Lines 31-39 describes the defining of the playable titles); however, fails to disclose generating a title list of titles stored in the order of arrangement within the video object area on said disc and defining a free space title that represents free space that is available on the disc within the video object storage area and including the free space title in the title list.

Yamane et al discloses a system wherein the generation of title list of titles stored in order of arrangement within the video object as described in Column 9 Lines 35+.

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The title list provides proper storing and collecting of data that is present on the disk. It is additionally taught by Nakai to have recorded video objects that represent playable titles as seen in Figure 44. It is further disclosed the recorded video objects and the use of these objects in Column 20 Lines 31-39. The objects providing a link of to playable titles provide the recording medium with efficient storage of the arranged data.

Nakatani et al teaches additional titling space and the representation of free space that is available on the disc is detected based on unassigned areas (Column 37 Lines 44+). The detected areas containing free space provides a free space list of spaces available on the DVD (Column 38 Lines 18-22) that allow for the data to be marked as free space within the video object storage area to provide for efficient processing of the recorded data.

Therefore, it would have been obvious to one of ordinary skill in the art to use a method of recording an encoded bit stream, as disclosed by Kashiwagi, and further incorporate the generation of title list to allow for proper marking of the recorded video, as disclosed by Yamane et al, and further incorporate a system that provides video objects with playable titles to provide an efficient processing of the video stream, as described by Nakai, and further teach the system to have free space titling, as taught by Nakatani, to provide the combination of elements to the produce a system that allows for proper detection, marking, and processing of the video stream based on title information to provide a more efficient system for the user.

**[claims 3, 8, & 19]**

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In regard to Claims 3, 8, and 19, Kashiwagi discloses a method characterized by blocking free space titles for playback (Column 19 Lines 5-25 describes the blocking free space titles).

**[claims 4, 9, & 20]**

In regard to Claims 4, 9, and 20, Kashiwagi discloses a method characterized by converting a deleted title to a free space title (column 19 Lines 5+ describes the deletion of title to a free space title).

**[claim 5]**

In regard to Claim 5, Kashiwagi discloses a method characterized by generating a title menu listing the titles in the same order as in the title table for allowing user access to the titles (column 20 Lines 40-60 describes the generating of a title menu).

**[claim 10]**

In regard to Claim 10, Kashiwagi discloses a recording apparatus characterized in that the system control means are adapted to generate a title menu listing the titles in the same order as the title table for allowing user access to the titles and recording means comprises output means for displaying the title menu (Column 20 Lines 40-60 describes the title menu listing in a table).

**[claim 11]**

In regard to Claim 11, Kashiwagi discloses a method wherein the generating the title list of titles further comprises generating titles for both the playback sequence of all complete cells and the subset of complete cells (Column 19 lines 64+ through Column 20 lines 1-20 describes the playback sequence of all complete cells).

**[claims 12 & 13]**

In regard to Claims 12 and 13, Kashiwagi a method wherein generating the title list of titles comprises: Defining a free space title that represents free space; Deleting at least one of the playback sequence of all complete cells and converting the deleted sequence into the free space title; and Wherein the free space title representing the deleted sequence includes the title for the subset of complete cells ((Column 19 lines 5+ describes the free space title that represents the free space)

**[claim 14]**

In regard to Claim 14, Kashiwagi discloses a recording apparatus wherein the system control means further generate the title list of titles for both the playback sequence of all complete cells and the subset of complete cells (Column 20 lines 40-60 describes the generation of title lists).

**[claim 15]**

In regard to Claim 15, Kashiwagi discloses a recording apparatus wherein the system control means generates a free space title representing free space within the video object area and including the free space title in the title list, deletes at least one of the playback sequence of all complete cells and converting the deleted sequence into free space title, and wherein the free space title representing the deleted sequence includes the title for the subset of complete cells (Column 20 lines 40-60 describes the generation of the various lists).

***Conclusion***

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nakatani et al (US 6,284,827).

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JJV



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A handwritten signature in black ink, appearing to read 'J. Miller', with a long horizontal flourish extending to the right.

**JOHN MILLER**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**